

an inner cap being rotatably received by the outer cap, said inner cap comprising a second top wall and a second cylindrical skirt depending from said second top wall, a plurality of recesses are radially disposed about said second top wall and formed at an intersection of said second top wall and said second cylindrical skirt, each of said recesses comprise an inclined wall that is inclined with respect to a horizontal wall of said recess,

said recesses and lugs being shaped such that said lugs are engaged by at least some of said recesses when said outer cap is turned in a closure application direction causing said closure to be applied to a container, said recesses and lugs being further shaped such that said lugs are not engaged by said recesses when said outer cap is turned in a closure opening direction unless a force urging said outer cap towards said inner cap is being applied to said outer cap, and when the force is applied to said outer cap and said outer cap is simultaneously turned in the closure opening direction said lugs are engaged by said inclined walls of said recesses allowing said inner cap to be rotated and removed from the container,

wherein said outer cap is free to move in a vertical direction and a horizontal rotational direction with respect to said inner cap.

8. (Four times amended) A child resistant safety closure comprising:

an outer cap, comprising a first top wall and a first cylindrical skirt depending from said first top wall, a plurality of lugs are radially disposed about said first top wall and formed at an intersection of said first top wall and said first cylindrical skirt; and

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an inner cap being rotatably received by the outer cap, said inner cap comprising a second top wall and a second cylindrical skirt depending from said second top wall, a plurality of recesses are formed on an outer surface of said second top wall, each of said recesses comprise an inclined wall that is inclined with respect to a horizontal wall of said recess,

said recesses and lugs being shaped such that said lugs are engaged by at least some of said recesses when said outer cap is turned in a closure application direction, said recesses and lugs being further shaped such that said lugs are not engaged by said recesses when said outer cap is turned in a closure opening direction unless a force urging said outer cap towards said inner cap is simultaneously applied to said outer cap forcing said lugs to be engaged by said inclined walls of said recesses,

wherein said outer cap is free to move in a vertical direction and a horizontal rotational direction with respect to said inner cap.

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15. (Four times amended) A safety closure comprising:

an outer cap, comprising a first top wall and a first cylindrical skirt depending from said first top wall, a plurality of lugs are radially disposed about said first top wall and formed at an intersection of said first top wall and said first cylindrical skirt; and

an inner cap being rotatably received by the outer cap, said inner cap comprising a second top wall and a second cylindrical skirt depending from said second top wall, a plurality

of recesses are radially disposed about said second top wall and formed at an intersection of said second top wall and said second cylindrical skirt, each of said recesses comprise a vertical wall and an inclined wall, each inclined wall being inclined with respect to a horizontal wall of its respective recess,

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said lugs and recesses are shaped such that said lugs are engaged by said vertical walls when said outer cap is turned in a closure application direction, said lugs slide up said inclined walls when said outer cap is turned in a closure opening direction and a force urging said outer cap towards said inner cap is not being applied to the outer cap, and said lugs are engaged by said inclined walls when said outer cap is turned in the closure opening direction while the force is being applied to said outer cap,

wherein said outer cap is free to move in a vertical direction and a horizontal rotational direction with respect to said inner cap.

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Please cancel without prejudice claims 21 and 22.